

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA


| | | |
|---------------------------|---|---------------------------|
| JEFFREY ROBERT MAYNARD, |) | |
| Petitioner, |) | |
| |) | 2:07cv55 |
| v. |) | Electronic Filing |
| |) | |
| J. BARRY JOHNSON, et al., |) | Judge Cercone |
| Respondents. |) | Magistrate Judge Mitchell |

MEMORANDUM ORDER

AND NOW, this 14 day of December 2007, after a petition for a writ of habeas corpus was filed by the petitioner, Jeffrey Robert Maynard, and after the Supplemental Report and Recommendation of the United States Magistrate Judge was issued, and the petitioner was granted thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, which do not demonstrate actual innocence, and after independent review of the petition and the record, and upon consideration of the Supplemental Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the petition of Jeffrey Robert Maynard for a writ of habeas corpus is dismissed, and that a certificate of appealability is denied, as the petition is time-barred.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge

Jeffrey Robert Maynard
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